

IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.SWAROOP REDDY

TUESDAY, THE TWENTY SIXTH DAY OF DECEMBER
TWO THOUSAND AND SIX

TAKEN UP WRIT PETITION NO.26105 OF 2006

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Between:

A.B. Subba Rao

Petitioner

AND

The Station House Officer,
Mandapeta Police Station,
East Godavari District and others

Respondents

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THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE P.SWAROOP REDDY

TUESDAY, THE TWENTY SIXTH DAY OF DECEMBER
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ORAL ORDER: (per the Hon'ble Mr. Justice D.S.R.Varma)

Heard the learned Government Pleader for Home, representing the learned Advocate, appearing for the respondents.

2. This writ petition is taken up on the basis of a telegram, dated 12.12.2006, by the petitioner – A.B.Subba Rao, Rajahmundry, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that a person by name Y.Ganesh, was illegally taken away by one A.Prasad, Circle Inspector of Police, Mandapeta Police Station, East Godavari District, and he apprehends danger to his life.

3. The relationship of the petitioner with the person, who is alleged to have been taken away, is not known.

4. In response to the notice, issued by this Court, the Inspector of Police, Mandapeta Circle, filed a counter-affidavit stating, *inter alia*, that the alleged detainee is an accused in Crime No.121 of 2006 of Mandapeta Police Station, registered for the offence punishable under Section 379 I.P.C; that for the same kind of offence, the alleged detainee is also an accused in Crime No.162 of 2006 of Alamuru Police Station; that the alleged detainee was arrested in Crime No.121 of 2006 on 10.10.2006 and was enlarged on bail on 16.10.2006 and that again he was arrested in Crime No.162 of 2006 on 24.11.2006 and subsequently enlarged on conditional bail on 28.11.2006 with a direction to report at the Police Station, on every Sunday and the accused – alleged detainee is faithfully

complying with the condition.

5. Having regard to the revelations in the counter-affidavit, we do not see any reason to continue the writ petition any longer.

6. For the foregoing, the writ petition is liable to be closed and accordingly the same is closed, at the stage of admission. However, there shall be no order as to costs.

D.S.R. Varma, J.

P.Swaroop Reddy, J.

December 26, 2006
MAS.